

OCT 24 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Alan M. Jaffee Group Art Unit: 1771  
Serial No.: 10/607,858 Examiner: Jennifer A. Boyd  
Filed: June 27, 2003  
For: Gypsum Board Faced With Non-Woven Glass Fiber Mat  
Docket No.: 7304/0140-2

Littleton, Colorado 80127  
October 23, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 CFR 1.132

I, Alan M. Jaffee, hereby declare that:

1. I received Bachelor of Science and Master of Science degrees in Chemical Engineering from the University of Toledo in 1977 and 1985, respectively. I have worked in the chemical industry since 1976. I have been employed by Johns Manville, Inc., Waterville, OH, since 1983, and I am currently a Technical Leader. For the last twenty-three (23) years my duties at Johns Manville have included the research, development, and application of glass fibers and non-woven products made therewith.

2. I am the inventor of the subject matter of the above-identified application Serial No. 10/607,858. I have read the application, and the Office Action dated July 25, 2006 in the application. I have also read the amended claims submitted with applicant's responses dated June 3, 2005, October 10, 2005, and May 9, 2006.

3. I have read each of US Patent 5,772,846 to Jaffee, US Patent 5,308,692 to Kennedy et al., US Patent 4,637,951 to Gill, and US Patent 6,365,533 to Horner, Jr., et al.,

which were cited in the August 15, 2005 Office Action; the October 24, 2005 Advisory Action; and the July 25, 2006 Office Action.

4. The non-woven glass fiber mats and gypsum boards delineated in the specification of the present patent application at page 14, line 7, to page 17, line 18 were prepared at my direction and under my supervision. The data delineated in Tables I, II, and III and the gypsum board smoothness data set forth at page 17, lines 7-9, were also collected at my direction and under my supervision.

5. The glass fiber used to prepare the non-woven glass fiber mats of Examples 2, 3, and 4, for which data are set forth in Table III of the specification (page 16), was chopped glass fiber having an average fiber diameter of about 11  $\mu\text{m}$  and an average fiber length of about 12 mm.

6. The glass fiber used to prepare non-woven glass fiber mat and delineated at page 7, lines 28-30 as having a fiber diameter within a narrow range centered at about 11  $\mu\text{m}$  was chopped glass fiber having a fiber length of about 12 mm.

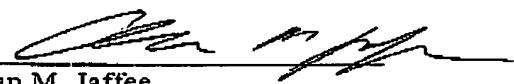
7. The glass fibers used to prepare non-woven glass fiber mats and delineated at page 7, lines 29-32 as having fiber diameters within narrow ranges centered at about 16, 15, 13, and 8  $\mu\text{m}$  were chopped glass fibers having fiber lengths of about 25, 25, 19, and 9 mm, respectively.

8. The glass fiber used to prepare non-woven glass fiber mat and delineated at page 7, lines 29-32 as having a fiber diameter within a narrow range centered at about 5  $\mu\text{m}$  was flame attenuated fiber, of which the fibers have an extended range of fiber lengths.

I hereby declare that the foregoing statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Dated: 10/23/06

By:

  
Alan M. Jaffee

0140-2-DECL2-R1